



SWEET & MAXWELL

# SOCIETY OF CONSTRUCTION LAW (SINGAPORE)

# SINGAPORE CONSTRUCTION LAW NEWSLETTER

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## Newsletter

Editor:	Zoe Stollard
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## Chairman's Message



As I write this, the news in Singapore is full of testimony from the public inquiry into MRT breakdowns and maintenance. Those of us who were directly involved in the construction of the north-south and east-west lines feel a bit uncomfortable with the repeated reminders that 25 years have passed (we all need more maintenance as we age...) since the initial system was commissioned. For better or worse, the format of the MRT Inquiry is very similar to the Nicoll Highway Inquiry. Other parallels also occur to me.

An interesting consequence of the Nicoll Highway collapse, and the subsequent investigation, was that designers, checkers and approvers all became instinctively more conservative, regardless of whether or not specifications had been tightened. For a significant period thereafter, projects were affected by this change of attitude even though the contract documents may have remained unchanged. Some contractors, together with their own design teams, questioned whether it was fair for the planning, checking and approval process to be affected so significantly as a result of a more cautious attitude to the design review and approval process. Several notable disputes arose as a result

of this phenomenon. I cannot help thinking that a similar reaction will occur in the wake of the rail maintenance debacle, with the potential for specialist contractors and suppliers to find that their equipment and installation quality is being subjected to far closer scrutiny than before.

So, what's wrong with that? Well it seems to me, from an SCL perspective, we should consider whether the drafting of contract documents can be improved so as to avoid the uncertainty of either measured or knee-jerk reactions to unfortunate events. A perfect contract document (which, of course, will never exist in practice) would eliminate the subjectivity which I am describing. Perhaps we could start by encouraging those responsible for negotiating and drafting contracts, and specifications in particular, to avoid subjective phrases like "...approval at the sole discretion of the SO..."

The 2010-2012 Council is rounding the 'final bend', as we approach elections at the forthcoming AGM, and the finishing straight is packed with events. I hope that many of you will start to consider the possibility of standing for election in the new Council. The AGM will mark the 10th Anniversary of the SCL in Singapore! To mark the occasion, we are proposing to combine the AGM with our annual dinner in order to allow us to 'splash out' a bit socially. I do hope you will join us on this special occasion.

### Christopher Nunns

*Chairman  
2010-2012*

# Updates & Developments in Construction Law 2012 - 17 January 2012

Eugene Seah

Davis Langdon & Seah Singapore Pte Ltd

The SCL Singapore organised its first lecture of the year entitled "Updates and Developments in Construction Law 2012". Held at the NTUC Centre at One Marina Boulevard, it was attended by more than 166 people consisting of construction industry professionals from all disciplines. It was chaired by Anil Changaroth who introduced both the speakers for the evening.

Two very distinct speakers were invited to speak on two topical issues. Mr Ho Chien Mien, Partner from Allen & Gledhill, gave us an update of the salient points of cases that were trialed in 2011. He spoke on: the rights of an employer to set off against monies due to a contract; the legal validity of a fixed charged created over a building agreement; the limitation period for service of a payment claim under the Building and Construction Industry Security of Payment Act (the "SOP Act"); and the issues of time at large and when liquidated damages provisions can survive the termination of contracts. He also updated the participants on an interesting case involving the duties and responsibilities of a resident technical officer and his duty to common law.



The second speaker was Mr Chow Kok Fong. Mr Chow brought the participants through the SOP Act scene in summary and dealt with issues of repeat claims. Although there may be some finality to the issue on repeat claims, the decision is still not settled as everyone is waiting for a decision from the Court of Appeal. The question of whether loss and expense can be considered in payment claims was also discussed. This drew some interesting comments from the floor, during the question and answer session, on whether a form that does not cater for loss and expense provision can still entitle the contractor to submit a loss and expense payment claim. He went on discussing the issue of time bars in submission of the claim, citing that there are 14 stipulated timelines in the Act that we should be aware of, including the issue of when a claim is not a claim. All in all, his talk was

## CALENDAR OF EVENTS - 2012

No.	Date	Event
1	17 January 2012	Updates and Developments in Construction Law 2012
2	23 February 2012	An Examination of Concurrent Delay
3	15 March 2012	Liability for Design
4	26 March 2012	Taming The Unruly Beast - Techniques For Managing Complex Construction Disputes
5	4 April 2012	SCL Networking Cocktails
6	15, 17, 23 & 25 May 2012	Engineering 101 (4 <sup>th</sup> run)
7	22 May 2012	SCL Singapore and Sweet & Maxwell Joint Launch of "Law and Practice of Construction Contracts" (4 <sup>th</sup> Edition), with Presentations on Current Construction Law Issues
8	25 July 2012	SCL Annual Conference 2012
9	22 August 2012	SCL AGM 2012 and 10 <sup>th</sup> Anniversary Dinner



interesting, and Mr. Chow is clearly someone who is extremely familiar with the SOP Act.

During the question and answer session, practical questions were asked from the floor, including an interesting question by Paul Sandosham on whether it would open the flood gates if the Chua Say Eng case was to be overturned by the Court of Appeal. The panel answered the question diplomatically but still, it would be best to wait for the decision of the Court of Appeal nonetheless.

The first seminar of the year started with a resounding bang and everyone left on a high note with equally high expectations for the next seminar.

## An Examination of Concurrent Delay - 23 February 2012

**Mark McGeoch**

Gardiner & Theobald Fairway Pte Ltd

The SCL organised a seminar entitled 'An Examination of Concurrent Delay': A well-attended event (hence the change in venue), which was delivered by Mr. Stephen Briggs from Hill International an international construction contracts consultancy that provides global services. Stephen acts as an expert witness in matters related to programming and is very experienced in this sometimes difficult role.

Stephen opened by defining 'Concurrent' delay and then proceeded to provide a comprehensive talk covering key points, specifically where it related to extensions of time entitlement. Starting off with simple examples of true concurrency, concurrent periods of delay and then delays that are concurrent 'in effect', Stephen briefly outlined the remedies available to parties when delays are caused.

There then followed a synopsis of UK case law, starting with *Henry Boot Ltd v Malmaison Hotel Ltd* which was the first landmark case. Various other cases were outlined and principles discussed including concurrent causes of delay, the 'Prevention Principle' (*Peak Construction v McKinney*), 'Dotting on' (*Balfour Beatty v Chestermount*), global claims (*John Doyle v Laing Management*), apportionment (*City Inn v Shepherd*), and the 'Dominant cause'. Stephen summarised this section by outlining a number of tests to be applied in the event that there is concurrent delay, these being:

- Did the Employer's delay come first?
- Is it 'fair and reasonable' that the Contractor should be so entitled?
- Does the Employer's delay have equal causative potency with Contractor's delay?
- Is either the 'Dominant' cause?
- If not, can liability be apportioned?
- Would the Employer's default have caused delay anyway (notwithstanding the Contractor's delay)?

Stephen concluded this part of the talk by reference to the SCL Protocol (a statement of principle, not law) which advocates entitlement to extension of time regardless of any concurrent delay caused by the Contractor.



Stephen then provided an outline of approaches in the USA and UAE, followed by a discussion on various contracts including FIDIC, JCT 2005, several local regional contracts and the no-nonsense approach adopted by clause 35.5 of the Australian form AS2124.

Stephen concluded by stating that "*what is readily apparent is that some form of critical path analysis is almost a pre-requisite to sorting out liability and entitlement arising from concurrent delay*". He then proceeded with a simple case study and showed that by using four different methods of analysis ('As-planned v As-built', 'As-planned impacted', 'Collapsed as-built' and 'Time Impact Analysis') one could arrive at four different results regarding extension of time entitlement and the levying of damages.

Chairing the event was Mr. Christopher Nunn, Chairman of the SCL, who contributed to the customary Question and Answer Session but did not hog the session (a previous criticism), allowing questions from the audience. The evening ended with the presentation of tokens of appreciation.

# Liability for Design - 15 March 2012

**Johnny Tan**  
LT&T Architects

The SCL seminar on “Liability for Design” held on 15 March 2012 was well received. Held at the MND Auditorium, it attracted a large turn-out of almost 200 registered delegates comprising Architects, Engineers, Project Managers, Quantity Surveyors, Contractors, Developers, Lawyers and In-house Counsel. The excellent response was no doubt due to the very topical issue of liability for design in construction contracts and that the guest speaker was Professor Michael Furmston, Dean of School of Law, Singapore Management University, a leading doyen of Construction Law. The event was chaired by Johnny Tan from LT&T Architects.

Professor Furmston shared his views supported by English case law on the issue of design liability between the Contractors, Architects and Employers in both “classical” as well as design and build contracts. He cautioned that even in the “classical” form contract, the contractor may be liable for “second order design” and the line between design and construction may not always be clear. He pointed out that Employers have sometimes successfully argued that the Contractor ought to have highlighted deficiencies in the design.

A lively discussion followed the presentation with many of the delegates raising very practical questions relating to design responsibilities faced by the construction industry particularly in the design and build contracts.



# Taming The Unruly Beast - Techniques For Managing Complex Construction Disputes - 26 March 2012

Paul Sandosham  
WongPartnership LLP



The SCL was privileged to host a joint seminar on 26 March 2012 at Maxwell Chambers with a visiting delegation of barristers from the Bar Council of England & Wales. 4 well-known construction barristers, Roger ter Haar QC, Jeremy Nicholson QC, Andrew Noble and Adrian Hughes QC spoke on the topic "Taming the Unruly Beast – Techniques for Managing Complex Construction Disputes." Close to a hundred attendees were present at the seminar chaired by Paul Sandosham, council member of SCL, where the speakers dealt with the four areas where steps could be taken to manage complex construction disputes, namely, the pre-action stage, documentation, the hearing itself, and witnesses (both factual and expert).

The speakers spoke on various techniques they had adopted in managing construction disputes and shared views expressed by judges in UK on how complex construction disputes could be better dealt with. Some novel ideas presented included pre-reading lists and tutorials for the Tribunal to enable them to understand what are often complex technical matters that arise in construction disputes. The speakers also shared their thoughts on current trends prevalent in construction disputes such as E-discovery and "hot-tubbing" among expert witnesses. The talk was followed by a Q&A session where there was an interesting debate as to whether the determination of preliminary issues actually expedited or hindered the progress of construction arbitrations. SCL (Singapore) takes this opportunity to express its thanks to the speakers and the Bar Council of England & Wales for participating in this seminar.



## 1st SCL Networking Cocktails 2012 - 4 April 2012

Darren Benger

Chairperson, SCL (Singapore) Social & Networking Committee



The 1st SCL Networking Cocktails event for 2012 was held on 4 April 2012 at The Terrace, NUSS Guildhouse, Suntec City, a beautiful open air venue nearby the central business area. In this appropriately comfortable setting, the SCL Council were joined in an attendance of approximately 30 members, their guests, and non-members from the construction industry.

Following his candid introduction, those in attendance wasted no time in joining Chairman, Christopher Nunns in social discourse. Many acquaintances were renewed and many new contacts were made. In this informal setting, and with support of good food and beverages, conversations were held on various topics ranging from current construction law issues and opportunities, through to social interests. It was further pleasing to note the range of attendance from various fields and disciplines within the construction-related sector, which led to a depth and diversity of networking and conversation subjects. This was another successful event for the society's networking platform for those involved in Construction Law in Singapore.



# Dear Mr. Errant Paymaster

The following is a letter (more like a poem, really) written by a disgruntled contractor named Mr. Hopeful Payee to his defaulting client named Mr. Errant Paymaster who has been withholding payment without valid grounds. The message of the letter is clear: Either pay up now or face the consequences of adjudication.

Dear Mr. Errant Paymaster,

I am writing this letter to let you know.  
I am struggling with cash flow.  
My subcontractors and suppliers are not chasing me slow.  
One even pointed a gun at me, wanting my head to blow.

I am sure you know the last time you made payment.  
You are leaving me with a big predicament.  
I thought you said you'd honor your payment commitment.  
Now you are causing me an unbearable torment.

I am sure you know what the solution is:  
It is either pay up, or adjudication it is.  
When the adjudicator arrives, you may not be at ease.  
He will teach you a lesson that ignorance is not bliss.

The adjudication process is pretty quick.  
Decisions are made sooner than you'd think—  
Hypothetically, as quick as your eyes blink.  
It's meant to ensure that payments are inked.

You may treat this letter as an intention to refer.  
There is nothing you can do if you wish to defer.  
If litigation or arbitration is something you prefer,  
I can assure you one thing: more cost you'll incur.

I am sure you know what adjudication entails.  
It's meant to harass bad paymasters with payees on their tails.  
If a paymaster consistently fails,  
It is a caning stick to ensure you pay without fail.

I have said the things I wanted to say.  
It's now up to you to choose the game you want to play.  
One thing I hope you'll learn from what I say:  
In this world, crime does not pay.

PS: Not paying is a crime – like stealing.

Yours faithfully,

Mr. Hopeful Payee

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# About Construction and Construction Law - To Pre-cast or Not to Pre-cast, That is the Question!

This is part of a series of articles written by engineer, Audrey PEREZ, the author and presenter of SCL's Engineering 101 series of seminars.



In this section of the SCL Newsletter published for more than two and a half years, various construction features most commonly associated with contemporary constructions, including associated defects and/or related disputes, have been introduced: Building defects' definition and limitations, Waterproofing, Stone, Building Enclosures, Curtain Walls, various facades' finishes, related maintenance and defects. In the penultimate edition of the 2011 Newsletter, construction concepts were introduced to the readers: productivity and its related subsidiary concepts, buildability and constructability.

One major change that has taken place in the Singapore construction sector since the late '90s and early 21st Century is the introduction of pre-fabrication and more precisely the pre-casting of concrete features in a building structure. Fabrication is done in a factory and completed elements are delivered to the construction project for installation. This was introduced in an attempt to increase the product's quality, reduce the time spent on its construction and therefore to save on the labour required for a given construction. Ideally, pre-casting in Singapore was promoted for such purposes. Some leading developers bit into the idea and off-site pre-casting of concrete features (including sometimes entire building features such as bathrooms) and delivering them ready-made onto the construction floor blossomed, becoming the latest trend if not the hippest! Whether technically needed or not, whether technically advisable or not, pre-cast structures have resolutely taken root in the construction sector in Singapore.

Unfortunately, developers' idealistic expectations were not achievable and the journey of pre-cast structures in Singapore is making its way to a more reasonable level of expectation and results. Namely, the provision of proper pre-cast structures where it's fit to do so. On the other hand, the industry is still struggling with providing the right feedback regarding some pre-cast structure practices. Often defects and disputes arise out of the misuse or the imposition of certain construction techniques unfit for a given project, building or structure.

## THE BEGINNING OF PRE-FABRICATION

Pre-fabrication is not a concept in construction but a technology, an engineering and execution technique that is as old as the world. Modular and repetitive shapes can be found in the earliest constructions known to man. The Egyptian pyramids are the true illustration of what pre-fabrication means! The Great Wall of China in its various segments is one of them too. Stones of regular shapes and sizes were fabricated ahead of the construction, off the construction field. They were transported and lifted to be installed onto the construction area in order to build tall structures with repetitive features faster and in an easier manner.

More noticeably, the Middle Ages were far from being the dark ages from a construction perspective but a period of ingenious creativity. In Europe, the race to display the power of the regional church or diocese by constructing the tallest cathedral helped develop exponentially the most useful construction technology: pre-fabrication. Stones quarried from regional quarries used for the construction of cathedral walls, columns, domes and ceilings were standardized in shape. They were engineered and fabricated to various, yet repetitive, shapes in advance by skilled sculptors and stored in huge quantities for a speedy construction.

Issues of supply chain, skilled labour availability, foreign labour necessity, speed, costs, quality of execution and defects were at the heart of construction issues between the 10th and 15th Centuries. No one expects the "House of God" to leak or display dangerous defects or collapse! The cathedral was seen as a materialisation of God's perfection. A building designed to impress for submission to the religious power couldn't fail in any way. Defects were not an option and therefore, the quality of the engineering, the construction technology used and execution standards were such that, until today, many cathedrals which are more than 500 years old are still in excellent shape!

In this race for building cathedrals, which spread from Italy to France then to the rest of Europe, there was, according to the records, a shortage of builders (the equivalent of today's D&B main contractor cum architect cum structural engineer cum consultants) as well as a shortage of skilled and general labour. The power of the Church in challenging the Royal power was such that no delays were tolerated on the erection of the latest and tallest Cathedral in a given region. Failing this, excommunication was pronounced! The race for the tallest church in the second part of the Middle Ages can be compared to the race for the tallest building witnessed in the 20th Century and the race for mega-projects in the 21st Century. All of these have similar common issues: how to construct in order to build, faster and cheaper, the largest and even bigger constructions!

Fortunately, the development of the construction sector does not rely only on mega projects or tallest buildings but also reasonably sized ones for common purposes: housing, commercial, hospitals, offices, schools and leisure spaces. Infrastructure constitutes another major aspect of the construction sector. Whether for infrastructure or building technologies, reinforced concrete is today the major material used. Its pre-fabrication or pre-casting is a complex technology that has to be used properly, for its intended purpose: simplifying and making safer some repetitive processes or unusual and unsafe features in construction.

In modern times, the earliest pre-fabricated structures in construction history can be found during the Industrialization Period and as early as 1889 (pre-assembled steel structures for the erection of bridges). Pre-cast reinforced concrete history started in the late '40s / early '50s during the re-construction period in Europe and more particularly in France after WWII.

Pre-cast reinforced concrete structures and, more generally, pre-fabrication are today part of Western construction culture and routine. In Asia, Singapore uniquely embarked intensively into pre-fabrication and pre-casting in the early '90s. This is largely thanks to the Building Construction Authority ("BCA") leadership in finding innovative solutions to support the construction sector's development. The BCA's efficiency in implementing innovative construction techniques lies in the imposition of a statutory benchmark nationwide and with buildability requirements (Ref. SCL Newsletter No. 15, September 2011, "About Construction and Construction Law - Productivity, Buildability and Constructability"). Several construction companies in Singapore will not hesitate today to incorporate extensive pre-cast structural elements such as beams, walls, slabs and stairs into their designs.

More importantly, improved technical knowledge and experience in pre-cast structures, designs and execution allows construction companies to opt for such technology when it is necessary and beneficial to do so and not only when it's mandatory, required contractually, or as a trend.

## WHY PRE-CAST

Success in using pre-cast concrete lies in the ability to engineer the construction from the earliest stage of the project, and exploit its full potential to offer clients and architects innovative solutions. Such knowledge belongs with the construction companies as pre-cast technology is a construction technique and not a pure intellectual engineering concept. The common benefits of pre-cast constructions can be briefly summarized as follows: Easing the construction process by improving its buildability, allowing cost effectiveness, improving the construction speed and allowing a better durability.

In terms of buildability, a good pre-cast system simplifies the construction sequence without compromising the structural integrity of the building. A pre-cast construction is safer and guarantees better temporary stability as work progresses. Building up a pool of in-house skilled pre-cast workers further facilitates smooth execution of construction works.

It is a common misconception that pre-cast construction is more costly. This is true when pre-casting is done off-site, far from the construction project. In more elaborate site organisations, the overall construction cost has been moderated when pre-casting is carried out on-site while keeping connection details simple. Time is a crucial element in every project. By producing pre-cast components on-site in a factory-like setting, a project can be completed quickly without compromising quality. Savings on transportation time and costs can also be achieved. In addition, by aligning pre-cast production with the progress of construction works, storage space is minimised while the overall construction sequence continues uninterrupted. In a nutshell, pre-casting is useful when a portion of the construction can be conceived as Lego block sequencing. The Housing Development Board ("HDB") has developed a similar construction technology as HDB buildings are very repetitive. One can notice such practices in Singapore on some HDB construction projects, where it feels as if construction is similar to a Lego or Meccano game, with blocks (i.e. walls and columns pre-fabricated off-site) being assembled alongside and in line with construction progress.

In the tunneling construction technology, pre-cast reinforced concrete curved segments forming tunnel walls are very common – yet not easy to execute – construction technique. Pre-cast concrete segments are simultaneously and mechanically installed as the Tunneling Boring Machine ("TBM") digs its way into the ground.

With well-designed simple connection details, pre-cast constructions will be more durable and not susceptible to defects such as, but not limited to, warping, water seepage at connections, cracks due to transportation vibrations where pre-cast elements have been transported to the site, cracks due to uneven load balance during lifting, jointing issues at installation due to inaccuracy in fabrication and/or installation leading to various defects and associated material and time wastage. Pre-fabrication should be made with suitable equipment such as formwork and with the right materials in order to prevent quality related defects that are either very unsightly or costly to rectify. If not, the purpose of pre-casting is entirely defeated!



Above: Repetitive and complex corner features are being well integrated as pre-cast elements in the structure.

## WHAT TO TAKE NOTE OF

It is important to note that pre-cast structures are suitable for both repetitive building features and complicated architectural features. However, pre-casting should not be imposed on all projects. It should be adapted to the needs of each project, in order to serve its true purpose, which is to ease the construction process. The type and shape of pre-casts should not affect the design theme or the architectural language. It should serve to better achieve creative architectural concepts.

Pre-cast design is an interactive procedure, linking many aspects of the architectural design, detailing, fabrication and erection. There are a number of considerations to note namely structural zones, temporary support and stability, sequence of erection, integration with services, and above all, the durability of the final structure. Durability of pre-cast structures is often a neglected issue. Steps must be taken to evaluate the performance of different shapes and integrity of pre-cast structure.

Traditionally in construction, pre-casting is a temporary status of building components during the construction stage. Once the construction of a building floor or section is completed, pre-cast components cease to exist as individual elements

and merge with the cast in situ components to form an overall building structure. The application of silicon at pre-cast joints, often implemented locally, should be prohibited. With proper detailing of the joints, pre-cast panels can be sealed with the in-situ structure so that common maintenance problems such as water seepage are prevented. Pre-cast fabrication, transportation and installation should be properly planned and accounted for during scheduling. This way, productivity, cost effectiveness, quality, structural integrity, safety and construction speed will not be compromised.

## WHEN TO PRE-CAST

The ultimate objective of using pre-cast structures is to make the construction process practical. The use of pre-cast concrete structures and features is an alternative way to ease the complicated aspects of construction. However, it must be acknowledged that pre-cast concrete is not the only way to enhance productivity, buildability and quality as it all depends on the feasibility. A competent engineer's strength relies on his ability to concoct the right mix of pre-cast and cast in-situ components to enhance productivity, buildability and quality. Getting the right construction method can help to overcome the main limitation of pre-cast concrete - its weight.



Above: An on-site pre-cast yard/factory like setting for the fabrication and storage of various pre-cast concrete building features of a given project.

## WHAT TO PRE-CAST

Common pre-cast components found in projects are slabs, beams, staircases and complicated 3D or special features such as planter boxes, façade arches, curved beams and others. The use of such items has to be complemented with cast in-situ construction to optimize their benefits. The American construction sector is using more and more pre-cast structures for walls and vertical structures which is unique and perhaps not adaptable to all constructions. Once again, pre-casting has to be tailor-made for each project and not copied from one system to another.

## WHY SITE PRE-CASTING

Contrary to popular belief, pre-casting could be a viable and economical option when it is carried out on-site without the need of additional workers. With site pre-casting, component sizes are no longer an issue when it comes to transportation as the latter is not needed anymore! Strict quality control,

supervision and better coordination with the construction schedule are also made possible as all is readily available at the heart of the construction project.

However one has to always remember that adopting and benefiting from pre-cast structures is only possible if the most competitive combination of pre-cast and cast in-situ components can be studied and decided during the earliest stages of the design, prior to starting statutory approvals for a project.

### **Audrey Perez**

PE, FSIarb, GCIA (NUS), Council Member SIarb  
QSE and Maintenance Head of Department  
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## **LIST OF NEW MEMBERS WHO HAVE JOINED SCL (SINGAPORE) IN 2012**

1. Kevin Owen	19. Guy Henderson
2. Cui Ping Sok	20. Raymond Lim
3. Tok Seng Ang	21. Rebecca Kool
4. Chin Lee Aw	22. Hayley Naidoo
5. Matthew Skinner	23. Mark Errington
6. Boon On Yong	24. Leng Yian Chua
7. Simon Tan	25. Vikas Mahendra
8. Weng Kee Wong	26. Michael Symons
9. Nur Tasnim Yusoff	27. Terry Toh
10. Ming Hsia, Amber Ang	28. Pak Chai Loo
11. Kay Chin Teng	29. Kash Quddus
12. Mong Guan Sim	30. Ban Kim Chia
13. Hanyi Adriel Jonathan Ho	31. Neville Anderson
14. Sherif Mohamed Alaraby Hassan Abdalall	32. Nicola Davies
15. Kok Tiong Lee	33. Lieh Sieng Soh
16. Kah Soo Lim	34. Nigel Pereira
17. George Wall	35. Keith Thom
18. Balasubramaniam Appavu	



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**T**his work has been established in Singapore as one of the leading texts for practitioners and students of the subject for nearly a quarter of a century. The new edition, published in a two-volume format, expands the work to cover additional aspects of the subject and to take into account some far reaching developments of the subject since the previous edition.

#### **Excerpt from the Foreword**

"... [The] 4th edition of this work has burgeoned into a tome of 1540 pages. This is divided into 2 volumes. To Mr Chow's credit, the enormous wealth of information and detailed analysis included in this edition have not come at the expense of clarity or quality. Much careful thought has been given to ensure that the material included remain accessible and digestible.

... It is first and foremost a book about construction law practice in Singapore and on that front it is without a rival. It is obviously a product of Mr Chow's consuming passion to demystify the complexities prevailing in this area of practice. He has untiringly laboured in communicating his views and sharing his experiences for more than two decades. As in the case of a good wine, the passage of time has considerably enhanced the quality and value of the final product. Lawyers and construction professionals will find this work to be an invaluable first port of call in bringing them up to speed on legal issues pertaining to construction practice.

**Mr Chow has adroitly distilled in this work the key aspects of construction practice. In doing so, he has done the construction industry an admirable service. □**

**The Honourable Justice V K Rajah JA**  
Judge of Appeal, Supreme Court, Singapore

#### **ABOUT THE AUTHOR**

**Chow Kok Fong** is a Chartered Arbitrator and currently practices as a mediator, arbitrator and adjudicator. He has been appointed to arbitration tribunals under ICC Rules and Rules of the SIAC as well as Dispute Adjudication Boards. Mr Chow was previously the Chief Executive Officer of Changi Airports International, Managing Director of Capital and Commercial Ltd and Director of Projects of City Developments Ltd. Prior to joining the private sector he was Chief Executive and General Manager of the Construction Industry Development Board (now the Building and Construction Authority). He is Founder President of the Society of Project Managers and was Chairman of the Society of Construction Law.



Currently, he is on the board of the Singapore Mediation Centre and is Chairman of the Construction Adjudicators Accreditation Committee. He has also held adjunct professorial appointments with a number of institutions including the National University of Singapore and Nanyang Technological University. Between 1989 and 1998 he had served as an Occasional Consultant to the World Bank on various construction industry development assignments. Besides the present work he has published 7 other titles including Security of Payments and Construction Adjudication (2005) and Construction Contracts Dictionary (2007).